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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/691,941	10/22/2003	Eric L. Solberg	021756-021410US	6302
51206 7590 02/23/2009 TOWNSEND AND TOWNSEND AND CREW LLP TWO EMBARCADERO CENTER 8TH FLOOR SAN FRANCISCO, CA 94111-3834			EXAMINER ANDERSON, JOHN A	
			ART UNIT	PAPER NUMBER
			3696	
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/691,941

Applicant(s)

SOLBERG ET AL.

Examiner

JOHN A. ANDERSON

Art Unit

3696

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 16 October 2008.
2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-7, 12-17 and 44-56 is/are pending in the application.
4a) Of the above claim(s) _____ is/are withdrawn from consideration.
5) ☐ Claim(s) _____ is/are allowed.
6) ☒ Claim(s) 1-7, 12-17 and 44-56 is/are rejected.
7) ☐ Claim(s) _____ is/are objected to.
8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO/S508)
Paper No(s)/Mail Date _____
4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____

DETAILED ACTION

Response to Amendment

1. In the amendment filed 10/16/2008, claims 1-3,13,44 and 52 have been amended. Claims 1-7,12-17 and 44-56 are pending and are presented for examination.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:
A person shall be entitled to a patent unless –
(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.
3. Claims 1-3, 44-46,51-53 are rejected under 35 U.S.C. 102(e) as being anticipated by Ginsberg P.M. (PGPub 2003/0139997).

4. As regards claims 1, 44 and 51, Ginsberg discloses a transaction filtering system for allocating transactions among a plurality of business objects, the system comprising:
- storage configured to store generated allocation rules and to store transaction data associated with a plurality of transactions, each generated allocation rule being associated with at least one of the plurality of business objects and being generated using relationships between members of the plurality of business objects; [0027-0029]
 - a query engine configured to query the transaction data using the generated allocation rules; and [0017]
 - an allocation manager configured to make one or more attempts to allocate a member of the plurality of transactions among the plurality of business objects wherein each generated allocation rule determines if a business object is entitled to an allocation from a particular transaction.[0019];[0030]
5. As regards claims 2, 45 and 52, Ginsberg discloses wherein a member of the plurality of transactions is a sale and the query engine is configured to determine commission allocation. [0028]

6. As regards claims 3, 46 and 53, Ginsberg discloses wherein a member of the plurality of transactions is a purchase and the query engine is configured to determine cost allocation.[0030]
7. Claims 12,14-17 are rejected under 35 U.S.C. 102(e) as being anticipated by Krishnaswamy S et al (US Patent 6909708 B1).
8. As regards claim 12, Krishnaswamy discloses a computing system for hierarchical transaction filtering, the computing system comprising:
 - storage configured to store a hierarchical data structure, a first generated allocation rule, a second generated allocation rule, and transaction data; [column 31 lines 36-38]
 - an allocation manager configured to track allocation of transactions represented by the transaction data; and[column 44 lines 50-57]
 - a query engine configured to execute a first query on the transaction data using the first generated allocation rule and, responsive to the first query, to execute a second query on the transaction data using the second generated allocation rule. [column 19 lines 27-37]

9. As regards claim 14, Krishnaswamy discloses wherein the first generated allocation rule includes a predefined rule inherited from a parent node. [column 53 lines 41-45]
10. As regards claim 15, Krishnaswamy discloses wherein the first generated allocation rule is produced by traversing the hierarchical data structure. [column 46 lines 11-29]
11. As regards claim 16, Krishnaswamy discloses wherein the second query is configured to identify a business object having a management role with respect to a node of the hierarchical data structure. [column 46 lines 11-29]
12. As regards claim 17, Krishnaswamy discloses further including a transaction source configured to generate the transaction data. [column 46 lines 11-29]

Claim Rejections - 35 USC § 103

13. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

14. Claims 4-7,47-50,54-56 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ginsberg P.M. ((PGPub 2003/0139997) above and in view of Finebaum M.L. (2002/0156719).
15. As regards claims 4, 47 and 54, Ginsberg discloses an allocation manager configured to make one or more attempts to allocate a member of the plurality of transactions among the plurality of business objects
wherein each generated allocation rule determines if a business object is entitled to an allocation from a particular transaction.[0019]:[0030]
Ginsberg does not disclose discloses wherein a member of the plurality of transactions is unallocated after a first attempt at allocation.

Finebaum M.L. discloses wherein a member of the plurality of transactions is unallocated after a first attempt at allocation.[0275]

It would have been obvious for a person of ordinary skill in the art at the time of the invention was made to use Finebaum M.L. in the device of Ginsberg .The motivation would have been that Trades may be partially allocated throughout the day. The word "Partially" will be displayed in the Allocated column of the Trade Blotter if the trade is partially allocated. [0275]

16. As regards claims 5, 48 and 55, Ginsberg discloses an allocation manager configured to make one or more attempts to allocate a member of the plurality of transactions among the plurality of business objects wherein each generated allocation rule determines if a business object is entitled to an allocation from a particular transaction.[0019];[0030]

Ginsberg does not disclose wherein a member of the plurality of transactions is under-allocated after a first attempt at allocation.

Finebaum M.L. discloses wherein a member of the plurality of transactions is under-allocated after a first attempt at allocation.[00275]

It would have been obvious for a person of ordinary skill in the art at the time of the invention was made to use Finebaum M.L. in the device of Ginsberg .The

motivation would have been that Trades may be partially allocated throughout the day. The word "Partially" will be displayed in the Allocated column of the Trade Blotter if the trade is partially allocated. [0275]

17. As regards claims 6, 49 and 56, Ginsberg discloses an allocation manager configured to make one or more attempts to allocate a member of the plurality of transactions among the plurality of business objects wherein each generated allocation rule determines if a business object is entitled to an allocation from a particular transaction.[0019];[0030]

Ginsberg does not disclose wherein a member of the plurality of transactions is over-allocated after a first attempt at allocation.

Finebaum M.L discloses wherein a member of the plurality of transactions is over-allocated after a first attempt at allocation.[0275]

It would have been obvious for a person of ordinary skill in the art at the time of the invention was made to use Finebaum M.L in the device of Ginsberg .The motivation would have been to [0275] Trades may be partially allocated throughout the day. The word "Partially" will be displayed in the Allocated column of the Trade Blotter if the trade is partially allocated.

18. As regards claims 7 and 50, Ginsberg discloses an allocation manager configured to make one or more attempts to allocate a member of the plurality of

transactions among the plurality of business objects wherein each generated allocation rule determines if a business object is entitled to an allocation from a particular transaction.[0019];[0030]

Ginsberg does not disclose wherein a second attempt at allocating the member of the plurality of transactions includes identifying a business object configured to manually determine the allocation.

Finebaum M.L discloses wherein a second attempt at allocating the member of the plurality of transactions includes identifying a business object configured to manually determine the allocation.
[0373]

It would have been obvious for a person of ordinary skill in the art at the time of the invention was made to use Finebaum M.L in the device of Ginsberg .The motivation would have been to allocate transactions manually or automatically.

19. Claim 13 is rejected under 35 U.S.C. 103(a) as being unpatentable over Krishnaswamy S et al (US Patent 6909708 B1) and in view of Noser et al (2003/0225660).
20. As regards claim 13, Krishnaswamy S et al discloses storage configured to store a hierarchical data structure, a first generated allocation rule, a second generated allocation rule, and transaction data; [column 31 lines 36-38]

Krishnaswamy does not disclose wherein the hierarchical data structure is configured to represent relationships between business objects in a sales organization.

Noser E discloses wherein the hierarchical data structure is configured to represent relationships between business objects in a sales organization. [0045-0056]

It would have been obvious for a person of ordinary skill in the art at the time of the invention was made to use Noser in the device of Krishnaswamy .The motivation would have been to record and track its trades in ways that are unique to it. One of the key problems facing the trading industry is the issue of systematizing and standardizing the variety of trade related data sets. The measurement framework of a preferred embodiment of the present invention provides a logical architecture for capturing the diversity of trade related data sets by abstracting and standardizing that which is common between the data sets while at the same time allowing client-specific data extensions for customized analysis. [0057].

Response to Arguments

21. Applicant's arguments with respect to claims 1-7, 12-17, 44-56 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to **JOHN A. ANDERSON** whose telephone number is (571)270-3327. The examiner can normally be reached on Monday through Friday 8:00 to 5:00 Pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Tom Dixon can be reached on 571-272-6803. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/John A Anderson/

Examiner, Art Unit 3696

John A Anderson

Examiner

Art Unit 3696

/J. A. A./

Examiner, Art Unit 3696

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/Daniel S Felten/

Primary Examiner, Art Unit 3696